

Docket No.: IA 1508.01A US  
USSN: 09/295.826

PATENT  
Art Unit: 3621

**REMARKS**

Claims 1-20 are pending in the present application.

This Amendment is in response to the Office Action mailed July 17, 2003. In the Office Action, the Examiner rejected claims 1-20 under 35 U.S.C. § 103.

Applicant has amended claims 1 and 11. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

**I. FORM PTO-1449**

Applicant kindly requests that the Examiner sign and initial a copy of the Forms PTO-1449 as filed on November 14, 2000, June 4, 2002, and January 13, 2003. Copies of the return, date-stamped postcards are also submitted for the Forms PTO-1449 which were submitted by mail. Applicant further requests that a signed and initialed copy of the PTO-1449 forms be returned to Applicant's mailing address to complete Applicant's records.

**II. REJECTION UNDER 35 U.S.C. § 103**

The Examiner rejected claims 1-6, 8, 10-16, 18, and 20 are rejected under U.S.C. § 103(a) as being unpatentable over Gracernote.com ("Gracernote") in view of U.S. Patent No. 5,825,883 issued to Archibald et al ("Archibald") and in further view of U.S. Patent No. 4,658,093 issued to Hellman ("Hellman"). The Examiner rejected claims 7 and 17 in view of Gracernote and further in view of U.S. Patent No. 6,081,785 issued to Oshima et al ("Oshima"). Applicant respectfully traverses the rejections for the following reasons.

In the Office Action, the Examiner stated that "Hellman discloses combining a logic with the identifier to trigger a transaction for the payment. (Figure 5 -- shows billing, also Column 10, lines 33-65 -- shows trigger logic)". Figure 5 shows nothing more than an operation of a base unit during generation of a request for

Docket No.: IA 1508.01A US  
USSN: 09/295,826

PATENT  
Art Unit: 3621

software use. Column 10, lines 33-65 disclose an implementation of the base unit during use of a software package. It discloses a user is prevented from using software for which he does not have current authorized use. This however, is not the combining of a logic with an identifier to trigger a transaction for a payment where in the logic is information used to report back to an entity.

Applicant maintains his remarks of the last response regarding the disclosures of Gracnote, Archibald, and Oshima. Furthermore, Hellman, Gracnote, Archibald, and Oshima, taken alone or in any combination, do not disclose, suggest, or render obvious the combining of a logic with the identifier to trigger a transaction for a payment, wherein the logic is information used to report back to an entity. This aspect of the invention is support in the specification on page 32 (lines 27-31), page 33 (lines 7-10) and is recited in amended claims 1 and 11.

Therefore, Applicant believes that independent claims 1, 11, and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejections under 35 U.S.C. § 103(a) be withdrawn.

Docket No.: IA 1508.01A US  
USSN: 09/295,826

PATENT  
Art Unit: 3621


**CONCLUSION**

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

Respectfully submitted,

DISCOVISION ASSOCIATES

Dated: September 17, 2003

  
\_\_\_\_\_  
Caroline Do, Esq.  
Reg. No. 47,529

DISCOVISION ASSOCIATES  
INTELLECTUAL PROPERTY DEVELOPMENT  
P. O. BOX 19616  
IRVINE, CA 92623  
(949) 660-5000

RECEIVED  
CENTRAL FAX CENTER

SEP 22 2003

OFFICIAL

P:\ABG\PPD\IA\1508\01A\AMEND\_02.DOC

FROM :

FAX NO. :

Sep. 17 2003 02:48PM P14

**COPY**

Collart, SYSTEM, METHOD AND ARTICLE  
OF MANUFACTURE FOR THE PURCHASE  
AND USE OF ELECTRONIC CONTENT  
UTILIZING A LASER OPTIC MEDIUM  
S.N. 09/295,876

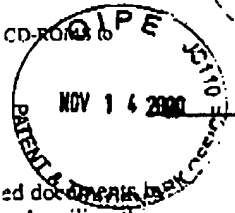
TFL/bjk  
November 10, 2000  
68615 (7236)

Information Disclosure Statement (2 pgs); PTO 1449 (1 pg)  
European Patent Office, Patent Abstract of Japan, Publication Number 10063562  
Publication Date March 6, 1998 (1 pg)  
Article: MASCHIA M ET AL: Interactive education: Transitioning CD-ROMs to  
the Web (3 pgs)

Hon. Commissioner for Patents  
Sir:

Please acknowledge receipt of the above identified documents by  
applying the Patent and Trademark Office receipt hereto and mailing this  
card.

Respectfully,  
**SINSHEIMER, SCHIEBELHUT, BAGGETT & TANGEMAN**



FROM :

FAX NO. :

Sep. 17 2003 02:48PM P15

Sheet 1 of 1

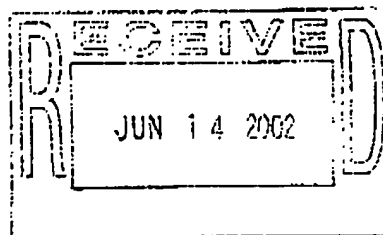
Form PTO-1449 (Modified)						Docket Number 68615		Application Number 09/295,826				
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  (Use several sheets if necessary)						Applicant Collart						
						Filing Date 4/21/99		Group Art Unit 2753				
<b>U.S. PATENT DOCUMENTS</b>												
Examiner Initial		DOCUMENT NUMBER						DATE	NAME	CLASS	SUB CLASS	FILING DATE
	AA											
	AB											
	AC											
	AD											
	AE											
	AF											
	AG											
	AH											
	AI											
	AJ											
	AK											
<b>FOREIGN PATENT DOCUMENTS</b>												
		DOCUMENT NUMBER						DATE	COUNTRY	CLASS	SUB CLASS	Translation YES NO
	AL											
	AM											
	AN											
	AO											
	AP											
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>												
	AQ	MASCHA M ET AL: "Interactive education: Transitioning CD-ROMS to the Web" COMPUTER NETWORKS AND ISDN SYSTEMS, NL, NORTH HOLLAND PUBLISHING, AMSTERDAM, vol 27, no. 2. 1 November 1994, pages 267 through 272										
	AR	European Patent Office, Patent Abstracts of Japan: Publication Number 10063562, Publication date 06/03/98; Application Date 21/08/96, Application Number 08219994; Applicant Hitachi LTD; Inventor Kuwabara Teiji; Int.Cl. G06F 12/00 G06F13/00 G06F 13/00; Title: Package Medium, Electronic Mail and Terminal Equipment										
EXAMINER										DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.												

**COPY**

FROM :

FAX NO. :

Sep. 17 2003 02:49PM P16



**DOCKETED**

Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our office:

**Inventor(s):** Todd R. Collart

**Attorney:** Steve A. Wong, Esq.

**Serial No.:** 09/295,826

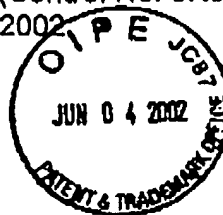
**Docket No.:** IA-1508.01A US

**Filed:** April 21, 1999

**Art Unit:** 2614 **Confirmation No.** 7629

**For:** SYSTEM, METHOD AND ARTICLE OF MANUFACTURE FOR THE PURCHASE AND USE OF ELECTRONIC CONTENT UTILIZING A LASER-CENTRIC MEDIUM

1. Supplemental Information Disclosure Statement, copy of International Search Report, Form 1449 and cited references;
2. Cover Letter;
3. Stamped, Self-Addressed Postcard (Control No. 3K0B0H);
4. Certificate of Mailing dated May 30, 2002



**COPY**

FROM :

FAX NO. :

Sep. 17 2003 02:49PM P17

Form PTO-1449  
(Modified)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE  
STATEMENT BY APPLICANT  
(Use several sheets if necessary)ATTY. DOCKET #  
IA 1508.01A USSERIAL NO.  
09/295,825APPLICANT  
Todd R. CollartFILING DATE  
4/21/99GROUP  
2614

(37 CFR 1.98(b))

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,023,907	06/11/91	Johnson et al.			
	AB						
	AC						

## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION YES	NO
	F01	809244 A2	11/26/97	EP				
	F02	99/14678	3/25/99	WO				
	F03							
	F04							

## OTHER DOCUMENTS (Including Author, Title, Date\*\*, Relevant Pages, Place of Publication\*\*\*)

	P01	
--	-----	--

\*AUTHORIZATION TO CHARGE APPLICANT'S DEPOSIT\*  
 \*ACCOUNT FOR ENTRY OF THESE REFERENCES HAS\*  
 \*BEEN GIVEN IN THE STATEMENT SUBMITTED HERewith\*

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation of not in conformance and not considered. Include copy of this form with next communication to applicant.

**COPY**

Page 1 of 1

Electronic Information Disclosure  
StatementSYSTEM, METHOD AND ARTICLE OF  
MANUFACTURE FOR THE PURCHASE  
AND USE OF ELECTRONIC CONTENT  
UTILIZING A LASER CENTRIC MEDIUM

Application:  
 Confirmation:  
 Applicant(s):  
 Docket Number:  
 Group Art Unit:  
 Examiner:  
 search string:

\*09/295826\*  
 09/295826  
 7629  
 Todd Collart  
 IA1508.01AUS  
 3621  
 Winter, John M.  
 (.6070171.or.6289452).en.

**COPY**

## US Patent Documents

Note: Applicant is not required to submit a paper copy of cited US Patent Documents

Init	Citation No.	Patent Number	Date	Bar Code	Patentee	Class	Subclass
	P01	6070171	2000-05-30	*6070171*	Snyder et al.	707	203
	P02	6289452	2001-09-11	*6289452*	Arnold et al.	713	175

## Signature

Examiner Name	Date